

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

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AUG 25 2020

Marcus C. Gaskins,

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Plaintiff(s)

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AT BALTIMORE  
CLERK U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

BY

DEPUTY

vs.

\*

Case Number: 1:20-cv-01977-SAG

Phil Hager, et al.

\*

Defendant(s)

\*

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August 25, 2020

10 AM 25 PM 8:54  
S. BANKRUPTCY COURT  
DISTRICT OF MARYLAND

BALTIMORE-NIGHT BOX

PLAINTIFF'S SUBMITTAL OF STATEMENT OF ALLEGATION (FACTS) IN ANNE ARUNDEL COUNTY CASE

The above-referenced Plaintiff, Marcus Gaskins, humbly submits the attached document, which is longer than 35 pages. The document has already been submitted to Anne Arundel County representative Alanna Dennis, who investigated the matter and did not protect my rights. Ms. Dennis instead yelled at me calling me arrogant and threatened to file a case against me for some bizarre notion that she believed I talked down to some woman. I was in no way arrogant to Ms. Dennis. Please allow the defendants to obtain their copy of this document from Ms. Dennis since this is a real case and should not be dismissed. Please also allow the defendants to send my mail to the address already reported without certificate of service and with certificate of service so that I can at least get a copy of the document. I have a response for the defendants, but I am currently holding my responses to see if this case is really going to happen, or whether it will be disregarded like the last lengthy 6 year case I had against the federal government. I am really tired of having to go through these experiences.

Marcus C. Gaskins

Marcus C. Gaskins, Plaintiff  
4310 Varnum Place, NE  
Washington, DC 20017

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "The Plaintiff's Sunmittal of the Statement of Allegations (Facts) in the Case Against Anne Arundel County" letter was served by certified mail, postage prepaid, on the May 26, 2020, upon:

- 1.) Anne Arundel County Government  
Attn: Current Personnel Director/HR Director  
2660 Riva Road, #100  
Annapolis, MD 21401
- 2.) Equal Employment Opportunity Commission  
31 Hopkins Plaza # 1432  
Baltimore, MD 21201
- 3.) USDOJ Civil Rights Division  
950 Pennsylvania Avenue, N.W.  
Karen Ferguson, EMP, PHB, Room 4701  
Washington, DC 20530

Very Respectfully,

  
Marcus C. Gaskins  
Marcus C. Gaskins  
PO Box 4507  
Washington, DC 20017

**08/29/2017—Marcus Gaskins' Supplement to 08/27/2017 Statement of Allegations:**

- David Braun did all of the same things to Brian Ulric when he was an Engineer III, but Brian Ulrich went on the record stating that David Braun never gave him a negative evaluation because of it. Brian Ulrich is a white (Caucasian) male and I am a black (African American) male. This is discrimination.
- In my annual evaluation on August 23, 2017, David Braun talked about many things prior to withholding my annual increase. One thing he discussed was how he could not find a pattern in my sick leave but was looking. This is relevant because I was instructed during my first 6 months to not be able to use sick leave. David Braun specifically said to me that I can use whatever leave I want to after the first 6 months are completed. Once the first 6 months were completed, and I began to use leave, David Braun then created a rule which stated that no leave can be used unless it is provided a week ahead of time. This really messed me up because some things are more sudden than that and how can he restrict leave slips in this fashion? Then, at the annual evaluation, he stated that I should not use sick leave and that I should maintain more than 40 hours of sick leave. How can he just create a rule and back-date it towards my evaluation over the past 6 month for my annual review? This is unfair and inconsistent with what I was told during my 6 month probation.
- David Braun stated in the Annual Review that he does not want Transportation people commenting on Traffic Impact Studies. He then starts providing really bad examples of why they should not comment on the studies. The truth of the matter is, David Braun gives approvals to Traffic Concepts and other consultants far too easily, and it is difficult to determine whether he is working with them outside of the workplace. Therefore, he is not really suitable to make the comments on the Traffic Impact Studies. This responsibility should be removed from him and given to Ramond Robinson. I will even volunteer to work under Ramond Robinson doing the Traffic Impact Study reviews with David Braun being able to comment and provide input, but would like to still be able to keep my same office location with a window and would like to still be able to do the other reviews that I have been doing on Engineering (Storm Drainage, Storm Water Management, Water, Sewer, Public Plans, Grading Permits, Building Permits).
- David Braun has recently been giving me only Traffic reviews, and has been giving me much more simplified work in an effort to discredit my work difficulty if I get a desk audit. It is unclear whether he has taken any of my projects and given them to another person.
- I volunteer for more work when I complete all my assignments and took over one of Sarah Fowlers projects, entitled "The Reserve at Severna Park." Apparently, Ms. Fowler could not handle her workload comfortably or wanted to give me one of her most difficult reviews only 1 week prior to it being due and did not provide me with any background or comments that she had. David Braun and Sarah Fowler then laughed together in a meeting and said you have too much time on your hands if you can really in-detail do a Traffic Impact Study analysis. I, however, did not find this to be funny.
- David Braun's history on working with people from Brian Ulric's perspective is really bad. Since he shows that he is discriminating on me by giving me a bad review because I am working with different departments (such as Ramond Robinson and Brian Ulric in the Office of Transportation, Lt. Stanton with the Fire Marshal Department, Erich Florence and Wesley Beasley with MDOT SHA, etc.) rather than avoiding them and circumventing their authority, and David Braun is not providing me with the same path to becoming an Administrator like Brian Ulric, I request that he be brought into compliance by the Compliance officer.

Marcus Gaskins  
PO Box 438  
Odenton, Maryland 21113  
(240) 210-3644—Cell Phone  
(410) 222-6841—Work Phone

August 27, 2017

This document is being provided in an attempt to put on record the many things that have occurred prior to and while working in Anne Arundel County Government. This document is supposed to provide a clear set of facts which can be evaluated to avoid these things happening to other people in the future.

I am an African American male. I was born in Washington, DC and raised in Maryland. I have a Masters of Engineering Degree from Howard University, a Bachelor of Science Degree in Civil Engineering from Morgan State University, and am currently scheduled to sit for my Professional Engineer Exam on October 27, 2017. The Maryland Board of Professional Engineers approved my application that provided them with 12 years of documented Professional Engineering work experience on August 10, 2017, which allows me to forego taking the Fundamental of Engineering (Engineer-In-Training/EIT) Exam. I also have the required certifications to successfully manage construction and perform construction inspections/payments of quantities for work completed in the State of Maryland, which does not expire until the year 2021.

There are many issues that will be brushed over in this document:

- 1.) Equal Pay for Equal Work
- 2.) Six Month Evaluation versus Twelve Month Evaluation
- 3.) Methods of David Braun's Engineer Manager Micro-Managing Problem
- 4.) Discrimination—Gender/Sex
- 5.) Discrimination—Race
- 6.) Harassment—With Emails
- 7.) Employee Evaluation Discussion Problems
- 8.) Job Description for Engineer III and Traffic Analyst II versus other Engineer III's Job Descriptions who do not perform all Engineer III and Traffic Analyst II duties
  - a. Work Being Done Outside of my Job Description
  - b. Not equally paid for work done when compared to only person doing same work
- 9.) Conflicts—Engineer Managers inability to work with other Department Effectively
  - a. Fire Marshal
  - b. Office of Transportation (formerly Transportation Section under OPZ)
  - c. Department of Public Works and the Inspectors in Inspections and Permits
  - d. MDOT State Highway Administration
- 10.) Blaming Normal Engineering Workplace Scenarios on Individuals
- 11.) Added Life Stress/Pressure during PE Exam Study Period from Aug. 11-Oct. 27, 2017

Supportive Documentation is required. On August 25, 2017 after work for two hours, and on August 26, 2017, for ten hours total, this documentation was obtained for this document. This document is being written on October 27, 2017, and took 10 hours to complete.

The timeline for the supportive documentation is provided below and categorized by relevance:

#### **PRIOR TO STARTING AT AA COUNTY EXHIBITS**

**Exhibit 1 —** 11/25/2015—Engineer III Job Description Posting Announcement 03609. This position states,

*“At the Engineer III level the employee is expected to perform a variety of engineering tasks independently and with minimal supervision.”*

*(NOTE – The starting salary may be negotiable based on credentials from the minimum to \$70K Annually)”*

The position only requires a Bachelor's Degree or a Degree in Engineering or a Related field and 4 or more years of experience in professional engineering work.

As stated earlier in this document, “I have a Masters of Engineering Degree from Howard University, a Bachelor of Science Degree in Civil Engineering from Morgan State University, and am currently scheduled to sit for my Professional Engineer Exam on October 27, 2017. The Maryland Board of Professional Engineers approved my application that provided them with 12 years of documented Professional Engineering work experience on August 10, 2017, which allows me to forego taking the Fundamental of Engineering (Engineer-In-Training/EIT) Exam.” (see exhibit 42 below)

**Exhibit 2 —** 12/15/2015—Engineer III Application Processed by Chello Pitts in Personnel. On December 27-28, 2017, telephone calls were received by (410) 222-7166 and returned.

**Exhibit 3 —** 02/23/2016—Engineer III Email Received by Janet Scott (Office of Planning and Zoning-OPZ Administrative Assistant to Assistant Director of OPZ), while copying Christopher Soldano (Assistant Director of OPZ), David Braun (Engineer Manager), and Eva-Kerchner (Assistant-Director in Department of Inspections and Permits-I&P). Interviews were scheduled in this email chain for the end of March 2016. My interview was scheduled for March 29, 2016, at 2:00 PM.

**Exhibit 4 —** 02/24/2016—Application to Senior Engineer in Department of Public Works was submitted. I interviewed with two different sections for this position in the emails provided in Exhibits 6, 7, 8, and 9 below. My applications would have resulted in the position I am more qualified for if the Engineer Manager did not call me later to hire me after one of his new hires left.

**Exhibit 5 —** 03/29/2016—Email sending an updated resume after interview. I was not selected after this. It is unclear whether one or two people were hired ahead of me, because Monet Lea ( a Black woman) only worked under David Braun (a white male) for 9 months before leaving the County, and Robert Murphy (a white male) is still working for the County and he has a Geology Degree, with a Professional Engineer License.

**Exhibit 6 —** 06/16/2016—Email from Khadija Abdur-Rahman (DPW Hiring Manager) for Senior Engineer position first interview

- by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits
- Exhibit 7** — 06/16/2016—Email from Khadija Abdur-Rahman (DPW Hiring Manager) for Senior Engineer position first interview scheduled
- Exhibit 8** — 07/11/2016—Email from Tina Cowan (DPW Management Assistant I) for Senior Engineer position second interview
- Exhibit 9** — 07/14/2016—Email from Tina Cowan (DPW Management Assistant I) for Senior Engineer position second interview
- Exhibit 10** — 08/04/2016—Email from Engineer Manager stating that another Engineer III position is open because someone left unexpectedly. More details should be obtained on why this Black woman didn't want to work under the Engineer Manager anymore.
- Exhibit 11** — 08/04/2016—Email reply stating still interested in Anne Arundel County position. At this point, I was unsure which Department he was calling from because I had interviewed so three times already. I really wanted the Senior Engineer position but, there was not any way that I could have checked on the status of my interviews available.
- Exhibit 12** — 08/04/2016—2 Email Chains here for telephone Interview scheduled by email. In the telephone interview, I was told that someone working there left unexpectedly, not that the person he had just hired left. David Braun did not discuss the salary nor did he attempt to negotiate the salary with me at all. Then, I was asked if I can do Traffic Reviews in addition to the stuff discussed in the previous interview I had with him. I can definitely do Traffic Reviews! His email chain stated that it is the same job as the one I applied to before, but it is a more complex job than the one Robert Murphy, who was hired over me, does. It would be good to know how much money Robert Murphy was hired making for this document.
- Exhibit 13** — 08/08/2016—Email from Dana Wooten providing an attached probationary appointment letter to and Engineer III position for \$59,374.00, signed by Eva Kerchner. Ms. Wooton in the email stated I needed to sign and send back to her, and congratulations.
- Exhibit 14** — 08/08/2016—Email reply was sent from Marcus Gaskins (self) back to Dana Wooton identifying that I would like to be able to negotiate the salary as it had stated I could on the job requisition that I applied for. The minimum salary that I requested in my application was \$70,000.00. I detailed my credentials in my application and provided attachments showing my qualifications. It is unfair that they did not even consider this fact when drawing up an offer letter, or if David Braun did and Eva Kerchner overruled his decision, then both of them are to blame as well as anyone else aware of this. This matter should be investigated because if the Engineers were forced to move to Inspections and Permits, the initial hire salaries on the application should be honored, signalizing equal pay for equal work.
- Exhibit 15** — 08/08/2016—New Email from Dana Wooton stating that my request is being looked into and an answer will be provided but questioned my qualifications even after I provided ample documentation in my application.
- Exhibit 16** — 08/08/2016—Email reply from Marcus Gaskins (self) to Dana Wooton with additional documentation on all of my certifications and experience obtained since I applied to this position almost 10 months prior to these events.  
**(Please see the attached credentials)**
- Exhibit 17** — 8/8/2016—New Email from Eva Kerchner stating that she can only offer \$62,342. This was not a negotiation, this was a take it or leave it; no supplemental justification on why I cannot negotiate scenario. The way the email was sent, was a take it or leave it rather than a credential evaluation discussion. In the email

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits

Marcus Gaskins (self) sent requesting a negotiations procedure to take place, I had expressed that I did want the position, however, I wanted them to be fair and aware of what they were doing so as not to make a mistake. They have made a major (humongous) mistake here.

**Exhibit 18** — 08/08/2016—Since there was not negotiation procedure that had taken place, I had to assume that the other employees which I was being hired to work with were being treated equally with no real negotiations. Therefore, I didn't make further emails stating that this wasn't a negotiation that took place. After I sent this email, Dana Wooten sent me a probational employment letter that was signed and then revised it to add one dollar to the amount that was send in the short email from Eva Kerchner.

**Exhibit 19** — 08/15/2016—Email to sign new probational employment letter.

**Exhibit 20** — 08/15/2016—Email sending a signed copy of the probationary employment letter.

The timeline of events from while I was on Probation from August 25, 2016, to early February 2017, are all just doing whatever David Braun wanted to be retained from Probation. During this time, I learned how the County operates and went to every Engineer in the Engineering Division to obtain their input on what they look at. This helped me to see all perspectives in my reviews. I already knew how to look at the Codes and Manuals and apply these documents to my review, as well as work with outside parties to achieve an overall successful end result. In February 2017, events started to turn. David Braun's supervisors began to use me as a way to move in on his Engineering Division-related items. They were taking all the knowledge that I put in my reviews and learning what they should be doing, but I am under all of them. This is unfair.

Also, during the first 5 months, the Senior Engineer (John Igbonovia- Black-Nigerian) was clearly doing his own separate work and would not be doing any work with Marcus Gaskins (self), unless I brought an item to him to find out what his knowledge base is from his 27 years experience in the County. After the probationary period ended, the following exhibits will provide more details on the processes they hid from me while I was on probation or never had as a process before and was just trying to harass and discriminate on me while using a Black person. When I would ask Mr. Igbonovia who told him to come and pull me out of my comfortable work environment to mess with me, he stated he doesn't have to tell me who did it. Therefore, I hold all of management responsible!

There are be Engineering meetings held on Mondays which all Engineers and the 1 Traffic Analyst II had to attend. Then there are Traffic Reviewer meeting held on Fridays, which only 2 Engineers (Marcus Gaskins and Sarah Fowler) and the Traffic Analyst II (Kirsten Cook) would have to attend. The scheduling of these meeting on both Monday and Friday every week is very inconvenient if I want to use leave and have a 3 day weekend. This is a complaint too. The Traffic meeting are open for anyone in the Office of Transportation (formerly OPZ Transportation) to attend and an OPZ Administrator (Brian Ulrich who is white and would be good to talk to about David Braun's managerial methods because he is firmly opposes having worked under Mr. Braun in the past years doing my job), and 2 Transportation Reviewer in OPZ (Jon Mayer and Martha)

Note: David Braun's system of reviewing plans is so messed up because he does not support his Review Engineers when working with consultants. All David Braun does is set up a meeting where he lets the consultant talk their way out of complying with the Anne Arundel County Code and Manuals and forces the County Review Engineers to defend themselves.

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits  
**WHILE WORKING AT AA COUNTY EXHIBITS**

**Exhibit 21** — 02/07/2017 Email Chain for a project which shows how David Braun, Engineer Manager, would instruct all the Traffic Reviewers in his meetings to do something, but when it is done, the consultant would send an email reply to him and he would not require it anymore. Also, this email shows clearly how David Braun undermines his staff time and time again (repeatedly) because he disregarded his Senior Engineers comment on page 5 of 8 stating that “Trees cannot be located in stormwater management facilities). Also, on page 1, it shows how David Braun would send me emails or come to my desk to tell me to send reply emails saying something that he wants to say to further harass/irritate me and get a record of multiple changes made.

**Exhibit 22** — 02/15/2017 Email Chain document shows one instance of many where an Adequacy of Public Facilities for Schools (APF for Schools) deadline date forced all consultants to complain and put pressure on the County to approve Adequacy of Public Facilities for Roads, Storm Drainage, and Water/Sewer Utilities (which is arguably a Plan approval on layout and design). David Braun repeatedly stated that he would not allow Adequacy of Public Facilities for Roads, Storm Drainage, and Water/Sewer Utilities to be approved for the consultants to get Adequacy of Public Facilities for Schools, but then his actions was to be unopposing to the consultants appeal to him to just approve their plans. Then, he uses this as one of his basis to say competencies are not meeting standards. There are many projects that just complained about their project and many of them made no changes as a result of comments sent out, but were approved. Results of doing conditional approvals turned into the entire administrative staff in Inspections and Permits forcing me to make word for word changes multiple times to my memos. This is unacceptable and must change!

**Exhibit 23** — 02/16/2017 Another Email showing request for APF for Schools

**Exhibit 24** — 02/15/2017 This exhibit has 2 documents. A document showing that probation Ended at the 6 Month Evaluation period. This document was provided in an email that I requested from Marcia Shore dated March 2, 2017. In my annual review, I stated that I know how to do this work and have been doing it for a long time, 4+ years in government and multiple years as a Journey Engineer/Surveyor with my father’s Land Development Consulting Company. I requested that I be allowed to move up to a Senior Engineer to be able to become the Engineer Manager. The 2<sup>nd</sup> document is a 03/02/2017 Email Chain. **On Page 3 of the email chain attached to this exhibit dated March 2, 217, shows an email dated March 28, 2017, shows an email sent to Marcia Shore which was requested to be held in confidence documenting the bad and uncomfortable experiences that have transpired after retaining me from probation and I asked if she could advise me of my rights as a non-represented employee because I would like to advance myself within the County.**

**Exhibit 25** — 02/15/2017 Evaluation Document- Page 3 of the evaluation shows that Employee Competencies are Above Standards (A) for 2 out of the 15 and that Employee Competencies are Meets Standards (M) for the remaining 13 out of the 15. The Engineer Manager, David Braun, stated that the information he put into the Employee Development Plan Section under the Employee Competencies Rating Section and the information he puts in the Evaluator’s Overall Comments and Goals for Next Evaluation Period are the same things he puts for all the evaluations he does people at the meeting. Even though I believed at this time that I was performing above standards for many more if the employee

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits competencies that was given credit for, this was okay because there were no negative (Below Standards-B) ratings provided. I signed and provided a nice comment since the Engineer Manager was new to the Department of Inspections and Permits and needed to make a good impression on his managerial capabilities. Marcia Porter in Personnel attempted to withhold the 6 month evaluation by showing only the probation ending document and saying this is the only document, but the evaluation part is separate. David Bruan also said if I obtain my PE license, he will put in for a desk audit for me to get a raise.

**Exhibit 26** — 02/22/2017 On page 3 of this email Chain for Greystone Village, Dave Braun sends an email reply to me stating that I cannot send any comments until I review them with him. This project was originally given to me. I worked with the consultant and figured out that John Igbonovia had the plans for the project and never provided them to me for the first review in January 2017. Then, after I reviewed the entire project and provided comments, David Braun told me to give the project to John Igbonovia. This will be a trend that David and his supervisors started to do with many projects. If they want my expertise on these projects, then they need to make me the Senior Engineer rather than do the comments, and then get excluded from the meetings. This has happened on many projects: Greystone Village (Formerly Simm-Sewell), High Point Elementary School, the Enclave at Crofton. Also, I get projects assigned to me that was reviewed by the previous engineer Monet Lea and John Igbonovia and there are too many things that were mistakenly overlooked. For example, Severn Meadows is a project that is not in compliance with our Code and Manuals and they were given their Permit to proceed two weeks ago, without addressing any of our comments or providing any changes to the design. These consultants are overpowering and manipulating their design to maximize houses and not provide enough stormwater management. MDOT SHA does not know this until there is an issue with stormwater management after the fact because they are trusting that we are doing our job. This also shows how the process is so messed up, that plats are mistakenly being signed prior to public plans being approved.

**Exhibit 27** — 03/03/2017 Email to Ramond Robinson and Brian Ulrich upon request providing them with proof supporting Brian Ulrich's complaints about how the problem is David Braun. David Braun deleted all of the Traffic Impact Study Comments out of my memo and said to make them recommendations. Then, the memo was sent too many times to count with revision after revision that either Dan Kane and Eva Kerchner forced David to make. This is another instance where the consultant does not discuss anything with the Review Engineer and the problem is not resolved, it is just overlooked. When David deleted all of my Traffic comments related to safety, it was evident that he does not care about safety at all and has no knowledge base on this. My experience in MDOT SHA Office of Traffic and Safety has provided me with ample experience on safety. Safety should always be incorporated into the Traffic Review and we do not even look at accidents or anything safety related. Also, David Braun likes to take a perfectly well-written sentence and re-write the sentence that says the same thing just to be able to say he reviewed it and to try to use the writing against his Review Engineer. I have had writing training during my Federal Energy Regulatory Commission work for almost 3 years where I learned how to write using the Plain Language Act and do not need lessons in writing. He really wants me teaching him everything I learned in Graduate school but that is not part of my job description.

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits

**Exhibit 28 — 03-03-2017 Email Chain from Dan Kane requesting a meeting.** Up until this date, Dan Kane and Eva Kerchner were not involved in the Engineering Division that David Braun is the Engineering Manager for. They have been quietly reviewing my comments and finally found their way into the Division with me since I am an Engineer, an Inspector, and very Professional. At this meeting, I was made to feel intimidated by Dan Kane and Eva Kerchner, but the meeting request was David Braun's fault. Dan Kane made me explain an entire project to him, as if I didn't know what I was doing. I had to do extra research that the consultant was supposed to be providing as part of their review. He then said I look like I know what I am doing for the Engineering side of things. Even though they didn't know, I already had a copy of my retained from probation document, so I was not worried. Then, we had the Traffic Review, where all three of them literally tried to make me feel intimidated and small by stating that I cannot comment on the conditions of road intersections at County and State roadways, nor can I use the Design Manual to make comments on Traffic studies. Eva and Dan tried to emphasize what David Braun wanted them to say by stating that the Anne Arundel County Code determines what they can do, and further said that it was the initial Traffic scoping that determines what is in the Traffic Impact Study. I responded quickly by asking if they can change their process to let the Traffic Impact Study reviewer do the scoping rather than the Traffic Analyst II do the scoping based on whatever David Braun says. No one provided any response to that at the time of the meeting nor anytime after that. They all then proceeded to tell me I cannot talk to the Fire Marshal about turn-arounds or road widths that relate to review, while Rania Carriger, and Engineer III working for the County for years, was the one asking me to coordinate with the Fire Marshal for her to complete her Engineering Review since I am the Traffic Reviewer. They all were implying that they don't like me and that I have been retained from probation but they are telling me any and all things that they want without regard to respect. I tried to make a statement and Dan Kan move his fingers together and said zip...you don't get to talk here. Then they continued to batter me with negative words about not needing to talk to MDOT SHA about projects and DPW, etc.

**Exhibit 29 — 03/07/2017 Chain of Email related to Jim Krapf** which shows how the consultants again tried to get APD for Schools and muscled their way through our review process to do this. I am okay with developing, but I am not okay with the way

this project is being handle currently. I do not know for sure who knows who, but I hear Jim Krapf is real good friends with Dan Kane and this is why they were acting like they don't have to comply with out County requirements, but Dan Kane didn't attend the first meetings at all, so it was David Braun who was messing up my Engineering Review of this project by telling the consultant not to worry about addressing any of my comments and that we would just approved their project that increase the number of dwellings on the property significantly but did not have to do anything because they made Monet Lea approve it before the increase and before I began working at the County. This project and Severn Meadows are the two projects which have been the most uncooperative thus far. Severn Meadows was done by Messick and Associates, and Chestnut Avenue is being done by Bay Engineering and Jim Krapf. I was working directly with John Bory, a seasoned Engineer in the Engineering Division and David Braun with Jim Krapf had Dan Kane to sabatoge my meeting with the consultant and said just approve the plans without any questions asked after forcing me to flip through many pages doing a 1 day review of a resubmittal and defend myself on my

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits comment. This was very disheartening as a Master of Engineering that the Director Dan Kane tried to belittle me in front of the Public Jim Krapf and Terry Schuman in Bay Engineering by saying "Nix the flood plain study comments" (which is no doubt David Brauns comment, then proceeded to look at Jim Krapf, whom he was sitting right beside and smiled. After this meeting, David Braun proceeded to state that he wants me to work with the other Engineers for guidance on my project and work on my public relations and he is going to watch all of my emails and letters as well. I did not tell him that I already am working with John Bory on this project while typing the email because I was shocked at the way in which the meeting just took place.

**Exhibit 30** — 03/10/2017 This email chain is self explanatory and by far, one of the most important ones! Here is some background: In an Engineering Meeting that took place on a Monday, Dan Kane attended and said that the Engineer Reviewer projects are our own babies and we do not need to get David Braun's review of our comments before the comments go out. All of the Review Engineers heard him, especially Sarah Fowler.

David Braun emails me stating that we discussed an item that we never discussed. When I reply, requesting if there are any issues with my reviews at the moment because I just had a performance evaluation that said I was competent in all areas and I then send an email referencing that my position is supposed to be one that is minimal supervisor. I asked for a copy of my 6 month review and did not receive any responses to any of these emails. If he had concerns, he should have put them in writing and replied to my email. I also went to his office and expressed that I do not appreciate him sending me emails after every email I send saying something to me, and I also do not appreciate him deleting all of my comments, but never providing any additional comments.

*Note: David Braun did not provide details on where I was performing poorly and then I was SHOCKED when five months later, while everything appears to be going smoothly and I am working on getting my PE License, he withholds my annual increase with no real justification. David Braun and Eva Kerchner for sure are doing something wrong here. I cannot say for sure if Dan Kane is aware of this but he is not innocent overall because after these events, Dan Kane begins to have Jay Leshinski in the Permit Center block all of the comments that I send out through our system and starts sending them back to me with comments, such as in the exhibit below and I notice that Eva Kerchner or Dan Kane start attaching themselves to all of my Permit and David Braun became the comment police and tried to force John Igbonovia to do it too.*

**Exhibit 31** — 03/16/2017 Email was received from Dan Kane which sent my Grading Permit Plan comments that were already incorporated in the Conditional Approval of the Final Plan review, but not addressed, that were provided to the consultant already. Mr. Kane then begins to provide comments on these comments. In a reply, I inform Dan Kane that these comments were already provided and not addressed. This project is called Clarks Crossing and the consultant is Anarex. They should really be addressing the comments prior to submitting the plans. Their method of complaining is by submitting two sets of Grading Plans without addressing any comments and saying they already did 2 submittals but they haven't really.

**Exhibit 32** — 03/20/2017—The High Point Elementary School Email Chain is another example of how my reviews were being taken after I completed my review and given to John Igbonovia. David Braun and the other managers tried to trick me in this project and wanted the school to come pick up their Grading Permit. I had not

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits provided an approval and the Board of Education had a meeting with David where he always lets the consultants do what they want, and did not provide a definite yes or no to the consultant on their permit. They almost picked their permit up and I had to stop them. The next week, Dan Kane met with the Board of Education with John Igbonovia and they excluded me from the reviews. They have been looking for every instance to try to fire me and this is a really uncomfortable feeling. They need to back off and start acting more professional and promote me because I am the best Engineer they've got!

**Exhibit 33** — 04/05/2017 This email for Magnolia Creek comments is a document where I sent comments to both David Braun and John Igbonovia, even though this should not be a requirement for all of the reviews. The project is a big site and it was the first review, so it makes sense to discuss the plans, but I always discuss the plans with John Igbonovia or David Braun and I expressed this to David Braun, but he is set on trying to get me fired now. After this email, John Igbonovia was forced to sit down and go through every comment which was so tiring that he started falling asleep during this meeting with him. The consultants job is supposed to be to review the comments and provide responses. I have been doing everything that everyone has asked of me and it is ridiculous that I have to sit here and waste my study time preparing documents like these because the managers don't know how to be people-oriented and recognize a good, hard-working engineer when they see one.

**Exhibit 34** — 04/06/2017 Email Chain on Page 3 shows a situation where the Consultant wants to schedule a meeting on a certain day, I give the day that is not good for me in a reply, and David Braun scheduled the meeting on the day that I said is not good for me. This is complete disregard to me as the Review Engineer and is disrespectful. Also, there are multiple instances where the consultant schedules a meeting on my project and David Braun along with Dan Kane and maybe Eva Kerchner have a meeting without informing me of the meeting. This is disrespectful. They need to really get a wake up call. Project examples include Stephens Knoll, Wolfspacke, LLC Property Phase I, High Point Elementary, and the Enclave at Crofton (formerly known as the Berkshire Property).

**Exhibit 35** — 04/20/2017 This Email Chain has two emails in it. David Braun wrote in my comments memo that a pond inspection will be requested to determine if maintenance or upgrades will be required. As a result to his comment, I walked over to the pond inspections area and they had a lot of potential violations that they wanted to get addressed. When this was brought to David Braun's attention, he purposefully avoided attending any of their meeting. Then he doesn't want to include their comments in his memo when that is the only way their comments can be made! This is a clear instance of David Braun being the one who does not work well with others. So Mary Fords comments had to be provided in a meeting with the consultant rather than emailed. This also is an example of what David Braun is using to say that I should not be depending on other peoples comments. That is ridiculous. This email also shows how I sent draft comments to the consultant, then the consultant sent them out and David then said again as a form of harassing me "Don't send emails without him reviewing them" and copies John Igbonovia for some unknown reason. This is unacceptable. David Braun loves to micro-manage but this position is one that requires a manager who does not overstep their boundaries as a manager.

**Exhibit 36** — 05/06/2017 This is another one of the most important emails. Email Chain for two separate emails. The same email was sent separately to both David Braun

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits (Engineer Manager) and Marcia Porter (Personnel) which is best to be read. It states "The AA County paper shows that Monet Lea[ , who Marcus Gaskins (self) replaced,] was making \$10,000 extra dollars than me when she was here and was doing the same work. It did not show up that she had her license either in Maryland. Also, it shows that Sarah is making almost \$16,000[ more] than me[ and will be making more than \$20,000 more than me if I do not get this annual increase,] and doing the same work as me. It shows she has a PE license..Can a desk audit be performed for the type of work that I am doing being both Engineering/Utility Reviews and Traffic/ADA Reviews?" Then there are attachments provided which will be included in the exhibits below. I'm not sure if Monet Lea had a Master's Degree and what type, but Sarah Fowler does not have a Master's Degree from the additional attachment obtained from her Linked-In page. Nonetheless, this is not fair/not equal. On page 3 of the email chain exhibit, it shows where David Braun never replied and I had to email him forms that two people from Human Resources (Jacqueline Rickers-Atkinson and Pearlene Collins) directed me to obtain after conducting a very spontaneous conference call to my work number and cell phone with multiple people both aware and unaware listening in on the call where they then proceeded to tell me that there is nothing they can do to help me and that my Director has to approve anything and my supervisor. (see Exhibit 37 below) I instructed them that my supervisor said at my annual review last year that I will be able to get a desk audit sent to Dana Wooten if I obtain my PE license and no sooner. The Human Resources ladies stated that this information is not correct and that they will proceed to inform me that if I do get a desk audit, my position will be lowered to a lesser engineer position rather than increased. They also tried to overtalk me when I was trying to ask them to provide me with what rights I have as a unrepresented employee. They did not provide me with my rights. They said get the PE License and then fill out the Desk Audit form. I am scheduled to take my PE Exam on October 27, 2017. On October 23, 2017 Eva Kerchner said I will never get a desk audit.

**Exhibit 37** — 05/11/2017 Email Chain for on where the location of the documents the two ladies were discussing. *It became evident that these two ladies were from Human Resources, and not Personnel even though I told Marcia Porter in my email to her to hold my emails in confidence in Exhibit 24 above.* This email is self-explanatory and shows that the ladies tried to recap our telephone conversation but it was very unprofessional how they approached me and handled the situation.

**Exhibit 38** — 05/26/2017 3 Email Chains documenting how my I do my job well and the project gets transferred to John Igbonovia. On this project when John Igbonovia asked me to review the project, and I reviewed the project as if it were my own project, David Braun became aggravated that John Igbonovia asked me to do it because it was supposed to be his project. This project review was already completed and my method of email the plans to DPW worked to be able to get comments back from them. John Igbonovia said he sent paper copies out to DPW weeks prior to me reviewing the plans and had not received anything back. When David Braun saw the email, he said he doesn't want me email the plans to DPW like I did because they don't need to see the plans. I then overheard Dan Kane and John Igbonovia talking about the comments that I received on the project. This has happened with Greystone Village too and is messed up.

**Exhibit 39** — 06/02/2017 This email chain is an email that was sent to John Igbonovia to set up a meeting while copying me, but the project is my review. This situation occurred

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits in one instance prior to this with the same project and John Igbonovia got into a disagreement about what is supposed to happen with the Public Plans. I expressed to him that I did not like that and they should not be sending you an email to discuss comments I just sent to them about my project. He has since not messed with me and been respectful but I did not bring it up at an Engineering meeting. I did bring up David Braun at an Engineering Meeting where he and Dan Kane made me feel uncomfortable defending myself in front of the Chestnut Avenue Project consultants and John Kagiri (another Engineer III) agreed with me by saying that's not right and Brad Bodman (another Engineer III) was totally surprised when I informed them that Terry Schuman with Bay Engineering said he was not going to Change any of the plans unless David Braun tells him he has to do it. This is ridiculous with all the project reviews that I do. Please see the attached exhibit with the project names for the project reviews I have done. It still needs to be updated though.

**Exhibit 40** — 08/23/2017 David Braun stated in the annual review meeting that he “**made a mistake in the 6 month review**” and discusses how my competence criteria is below standards so much that he wants to monitor me where I will have to be re-evaluated in 90 days. An Engineer Manager making a mistake in an evaluation that is so important to an Engineer’s career was a complete **SHOCK**. He indirectly had said he should have fired me at the 6 month review. These managers really need to learn how to talk their Engineers or you should hire new managers. I’d be a great candidate. He then proceeded to tell me I have to sign the evaluation. I said I am not signing that evaluation especially if you are not giving an annual increase. I had not even looked at it. He said, “sorry if I misled you, you are not getting an annual increase.” Totally Shocked! I informed him that I am going to file a grievance on him with this documentation and proceeded to walk to the Personnel Office. He said that is fine. I stated that this is very unfortunate that I have to do this, and he said it is fine while nonchalantly disregarding these events as unimportant. He also said he does not know what to do because no one has ever said they will not sign the evaluation for before. Well, I can say for a fact that in all my 12+ years working in the Federal and State and as a Consultant, I have never said that I am not going to sign the form either, until now. The other fact is that David Braun brought up the most irrelevant topics at the annual review, such as why did you say that you want to do your own Traffic scopings rather than letting Kirsten do them; and he proceeded to ask if my work load is to heavy, signaling that maybe he can do something about it. This job is easy, a piece of cake besides the messed up things that have been presented in this document. David Braun also said that “**working with me has been rough**” and this is another worst comment to make at an annual review meeting.

When I went to the personnel department, I spoke to Sherri Roxas (a Senior Personnel Analyst in Employee Labor Relations and she informed me that I do not really have rights as a non-represented employee to file a grievance. I said I believe that management is retaliating against me in response to me identifying that there is Gender Discrimination happening with the salaries and I already spoke with two people about this situation in Personnel. She printed out the forms and the Employee Relations Manual sections for the Grievance and the Discrimination and did not really provide much help. I asked if there was an EEO advisor available and she said they don’t have any of them here but they always investigate discrimination cases and instructed me to talk with my appointing

by Marcus Gaskins, Engineer III currently in Anne Arundel County Department of Inspections & Permits authority who she did not know who it was but told me Dana Wooten in the Department of Inspections and Permits was the Personnel Liason.

When I went to Dana Wooten's office, I spoke to her in private about all of the issues I have explained above in this document and I said if they can't resolve these problems without me filing these documents then I am going to start applying for another job today and maybe even go back to Stantec where I worked prior to working in the County because this is ridiculous. They act like they want to fix a problem with the consultants but cannot even communicate enough to resolve internal problems that I didn't even know about. I asked to speak to Dan Kane who was listening outside of Dana Wootons office. Dana Wooton then walks me to David Braun and Eva Kerchner right past Dan Kane. Eva Kerchner then says she doesn't have time to talk, but all 4 of us, Dana, David, Eva, and myself are in Eva's office with the door closed.

Dana leads the conversation with her head low saying that I have some stuff to discuss, then I state that this whole evaluation thing needs to be worked out for my increase to get processed. Eva Kerchner then says I've seen the form with the 3 below standards items. I then say I told the Personnel lady it doesn't make sense to negotiate my pay increase with you because you all did the form, but she said this is the process. Then I say I am working towards getting my PE license right now and David had said I could get a desk audit once I passed. Eva Kerchner then says twice "You will never get a desk audit" then says there are PEs working out there right now. Eva Kerchner does not know how to talk to people politely. I then said "I am not going to have a disagreement with you right now." She then says you write up your response and tell me what forms you are holding in your hand. I will be out of the office tomorrow and Friday but Dana can schedule something next week sometime." She then said "you cannot work on your response while at work." This is the most inappropriate thing to say at a time like this! Who cares about when the document is prepared AND why would I sit at my desk and fill out all these things about them?

*Note: Multiple Managers, Engineers, and Inspectors at work state that I am doing a great job and I can use them as a reference on the type of competencies I have. To name a few, Steve Trumpler, Brian Ulrich, Ramond Robinson, Robert Murphy, even Eva has complimented me in an email once saying great job (which can be provided upon request).*

**Exhibit 41** — Multiple Character Reference forms from County Employees.

**Exhibit 42** — 08/10/2017 Maryland Board of Professional Engineers Approval for me to sit for Professional Engineer Exam on October 27, 2017.